

DARREL JENKINS, )  
)  
Plaintiff, )  
)  
vs. ) Case No. 15-cv-00253-JPG-DGW  
)  
JOHN TROST, *et al.*, )  
)  
Defendants. )

This matter comes before the court on the Amended Report and Recommendation (“R & R”) (Doc. 53) of Magistrate Judge Donald G. Wilkerson with regard to Defendant Dr. John Trost’s Motion (Doc. 28) for Summary Judgment. There were no objections to the R & R.

The Court has received no objection to the Report. The Court has reviewed the entire file and finds that the R & R is not clearly erroneous. Accordingly, the Court hereby **ADOPTS** the Report in its entirety (Doc. 53) and **GRANTS** Defendant Dr. John Trost's Motion (Doc. 28) for Summary Judgment. Dr. Trost was the only remaining defendant. As such, this matter is **DISMISSED** without prejudice. The Clerk of Court is **DIRECTED** to enter judgment accordingly.

The Court further finds that the Report and Recommendation (Doc. 43) is **MOOT** based on the filing of the Amended Report and Recommendation.

**IT IS SO ORDERED.**

**DATED:** 5/8/2017

*s/J. Phil Gilbert*  
**J. PHIL GILBERT**  
**U.S. DISTRICT JUDGE**